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IN LAFAYETTE, LA.

APR 08 2008

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ROBERT H. SHEMWELL, CLERK  
WESTERN DISTRICT OF LOUISIANA

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF LOUISIANA

GLENN DUVAL

VERSUS

DEEP MARINE TECHNOLOGY, INC.

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CIVIL ACTION

**6:08-CV-0485 LAF**

LAFAYETTE DIVISION

COMPLAINT FOR DAMAGES

The complaint of Glenn Duval, an individual of the full age of majority with respect represents:

1.

Jurisdiction exists in this Honorable Court pursuant to the provisions of 28 U.S.C.A 1333 and is brought pursuant to the general maritime law of the United States.

2.

This matter is identified as an admiralty or maritime claim in accordance with the provisions of Rule 9(h) of the Federal Rules of Civil Procedure.

3.

Made defendant herein is Deep Marine Technology, Incorporated which was, at all times pertinent hereto, a foreign corporation authorized to do and doing business in the State of Louisiana with its principal business establishment in Louisiana located at 600 Jefferson, Suite 400, Lafayette, Louisiana.

4.

Venue is proper in this Honorable Court pursuant to the provisions of 28 U.S.C.A. 1391 (b)(2) and/or (b)(3).

5.

It is alleged that at all times pertinent hereto, Defendant, Deep Marine Technology, Incorporated was the owner, owner *pro hoc vice*, operator and/or chartered of a certain vessel known as the M/V DMT EMERALD.

6.

It is alleged that at all times pertinent hereto, the M/V DMT EMERALD was in navigation and was located upon the navigable waters of the United States off the coast of Louisiana in an area known as VK 826.

7.

On or about November 11, 2007, Glenn Duval was employed by Wood Group/Deepwater Specialists, Inc. as an Instrument Technician and was working in the course and scope of his employment and was injured during a personnel basket transfer being attempted from the M/V DMT EMERALD to a tension-leg platform known as the BHP NEPTUNE.

8.

As Glenn Duval was being transferred from the M/V DMT EMERALD to the BHP NEPTUNE via a collapsible eight man Billy Pugh basket, the basket was lifted and stopped for reasons unknown to Glenn Duval, immediately above the heliport deck; when the vessel heaved up and slammed violently against the bottom of the Billy Pugh basket on more than one occasion, knocking Glenn Duval and his fellow basket riders down, causing severe and disabling injuries to Glenn's mind and body including but not limited to his back, neck and right ankle.

9.

Glenn Duval alleges that a legal cause of the aforementioned accident and injuries was the negligence of the defendant and its employees including but not limited to that of the captain of the M/V DMT EMERALD and its crew.

10.

Because of said injuries, Glenn Duval has endured pain and suffering and mental anguish and will continue to so suffer and has sustained a loss of income and other employment related monies and benefits.

11.

Glenn Duval alleges, on information and belief, that he will in the future, because of said injuries and damages to his body and mind, endure pain and suffering and mental anguish as well as loss of income and other elements of damages, all of which entitles Glenn Duval to reasonable damages.

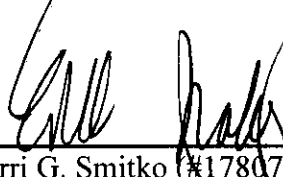
**WHEREFORE**, Glenn Duval prays that process in due form of law and according to the Federal Rules of Civil Procedure issue against Defendant, Deep Marine Technology,

Incorporated directing it to appear and answer, all and singular, the matters aforesaid and that after due proceedings have been had, there be judgment in favor of Glenn Duval and against Defendant, Deep Marine Technology, Incorporated for reasonable damages, together with legal interest from date of occurrence until paid and for all costs of these proceedings;

Glenn Duval further prays for all general and equitable relief which the justice of the cause may require and to which he may otherwise be entitled and that all experts' fees be taxed as costs.

Respectfully submitted,

LAW OFFICES OF JERRY G. SMITKO, APLC



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Counsel for Glenn Duval

**PLEASE SERVE:**

**DEEP MARINE TECHNOLOGY INCORPORATED**

through its agent for service of process:

F. Douglas Gatz, Jr.  
Kraft, Gatz & Deuitt  
600 Jefferson, Suite 410  
Lafayette, LA 70501

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Jerri G. Smitko, APLC  
Estelle E. Mahoney, APLC  
(Of counsel)

April 4, 2008

Robert H. Shemwell, U.S. Clerk  
United States District Court  
Western District of Louisiana  
2100 John M. Shaw U. S. Courthouse  
800 Lafayette Street  
Lafayette, Louisiana 70501

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ROBERT H. SHEM WELL, CLERK  
WESTERN DISTRICT OF LOUISIANA  
LAFAYETTE, LOUISIANA

RE: Glenn Duval  
vs.  
Deep Marine Technology, Inc.

Dear Mr. Shemwell:

Enclosed you will find the following:

1. Original and two (2) copies of Complaint for Damages;
2. One (1) Summons in a Civil Action form in duplicate to defendant, Deep Marine Technology, Inc.
3. A Civil Cover Sheet and a Financial & Civil Allotment Sheet; and
4. Our firm's check in the sum of \$350.00 in payment of the filing fee.

After filing the Complaint into the record, please return to me the two (2) copies of same, stamped and conformed with the filing data, and the two (2) Summons in a Civil Action forms, signed and sealed. I am enclosing a self-addressed, stamped envelope for your convenience.

Thanking you in advance for your prompt attention and cooperation, I remain

With kind personal regards, I remain

Sincerely,

Estelle E. Mahoney

EEM/cp  
Enclosures